Many Orders for Equipment Placed with Car Works-Railroad Shops Also Busy Rebuilding Engines.

Indications are that the remark of M. E.

Ingalis, president of the Big Four, to Journal reporter a few days ago, to the effect that by Feb. 1 the locomotive and car works would be busy, is based on fact. J. K. Pollock, treasurer and general manager of the Indiana car and foundry works, of this city, says he has heard of large numbers of contracts for cars which will be let within the next sixty days, and feels confident that the car works here will soon be in full operation. As yet these works are only repairing cars, of which they have done a good deal the last few months. The Terre Haute car works have 250 men at work, have just delivered a hundred or more new cars to the Vandalia, and are now doing a good deal of work for the Chicago & Eastern Illinois. The Ohio Falls car works are turning out new box cars on a contract to build 1,000 for the Panhandle lines at the rate of eight a day, and have a number of smaller contracts for Southern roads. The Southern Pacific has asked for bids for 1,500 cars; the Buffalo, Rochester & Pittsburg for 250 cars; the Mount Vernon car works, of Illinois, are building 250 fruit cars for the South Carolina & Georgia; the Southern rallway, it is stated, will be in the market for at least 10,000 cars of different kinds in the next thirty days, and a number of the strong roads are contemplating largely increasing their equipment. But few are aware how fast freight equipment wears out. The Big Four has 2,200 fewer freight cars than it had one year ago, and has purchased no new ones; now it must replace them. The same proportion of cars goes to pieces on all roads, which means that many thou-sands of cars must be built to replace those which go to the scrap heap annually. This would not be so noticeable when a company is steadily increasing its equipment, but when it is not doing so, as has been the case for the last two years, it becomes a very important item. A general do not now need not only cars, but locoand especially freight cars. The supply of passenger cars was so augmented for the world's fair business that for the sent but little new passenger equipnent will be required. The Brooks locomo tive works are at work on a contract to build one hundred locomotives for Brazil-ian roads. The Schenectady locomotive works are building twenty locomotives for the Southern Pacific and five for the Fitchburg road of the same type as the Gar-stang engine in use on the Big Four. The Cooke locomotive works are building twenty locomotives for the Southern Pacific, that company having divided its order for forty locomotives. The Rhode Island locomotive works are building twenty-five consolidated engines for the New York, New Haven & Hartford, the Baldwin works are building a number of locomotives for the Southern railway and filling a number of foreign or-ders; the Richmond locomotive works are lding a number of locomotives for the thern railway and the Seaboard Airine. At the shops of all the railroad comare rebuilding engines and making improve ments which greatly increase their effi-ciency. The matter which is now receiving the most attention is the economizing in the use of fuel. Inquiry among high officials of the local lines show that, without exception, if business continues good, within the year 1895 they will expend considerable money in increasing freight equipment and

J. J. Dunegan's Sudden Death.

John J. Dunegan, assistant roadmaster of the Chicago & Erie railway, died in this city to-day from a cerebral hemorrhage. He retired last night in good health, but shortly after was heard calling for help. Medical aid was summoned when it was found that he was suffering with a rupture of a blood vessel in the brain. Deceased was a prominent member of the North Judson Lodge, Knights of Pythias.

Personal, Local and General Notes. The directors of the Rock Island road e declared a quarterly dividend of one alf of 1 per cent.

Judge Grubbs, of Louisville, has been ap-ointed general counsel of the Chesapeake Ohio Southwestern.

The wife of E. A. Ford, general passenger gent of the Pennsylvania lines west of littsburg, is seriously ill.

The Queen & Crescent yesterday brought nto Cincinnati thirty car loads of oranges in one train, the cars carrying 9,000 boxes. The home-seekers' excursion on the 18th of this month promises to be largely patronized. It covers points west and south. The receiver's report of the Peoria, De-catur & Evansville shows the receipts for November to have been \$89,930, expenditures

E. Goudy yesterday completed his thirtyouth year as an engineer on the Ohio & Mississippi, now the Baltimore & Ohio Arrangements have been made to rul

ne-seekers' excursions to points in the uthern States on Jan. 8 and Feb. 5, the limit of tickets to be twenty days. The roads in the Central Traffic Associa-tion have authorized a rate of one and onethird fare for the round trip to all students

Should the Illinois Central people have evansville & St. Louis comes, an interest to inside railway officials. M. E. Ingal's, president of the Big Four

lines, who has, with General Manager Barnard, been inspecting the Peorla & Eastern, will be in the city this afternoon on his return to his headquarters. The approximated earnings of the entire on system for the first week of De ber, were \$865,868, a decrease of \$26,210 from the corresponding week of last year. The gross earnings for the month to date

show a decrease of \$89. W. H. McDoel, who last week went over the Louisville, Evansville & St. Louis to inspect the property, it is supposed, in the interest of the Brice-Thomas syndicate, says he was astonished to find the road in

so good physical condition. The Panhandle is at present employing the largest number of men in its various shops at any time in its history. At the Indianapolis shops nearly six hundred are

at work, and at the larger shops at Columous 1,275 men are now employed An official of the Illinois Central is quoted as saying that the company, as a result of its ownership of the Chesapeake & Ohio Southwestern, will build other lines and

make changes which will increase its power to compete with the Louisville & Nash-

The monthly report of A. A. Zion, super-ntendent of the Belt road and Union Railway Company, shows that while 12 per cent, more business was done over the two lines, the operating expenses for November this year were 15 per cent, less than in November, 1893. J. M. Richey, formerly general yard-master of the Lake Erie & Western, now

superintendent of transportation of the Calumet & Blue Island, is spending a few days with friends in this city. He has been at West Baden for a couple of weeks for the benefit of his health. The Alton is the next road to be atcked on the switching charge of \$2 per day on all shipments of stock received at the Union stock yards of Chicago. Advices from Springfield, Ill., are to the ef-

fect that James Brown, of Dwight, Ill.,

has filed a bill against the road, alleging that the switching charge is extortionate. The case is set for hearing in Chicago,

The Knickerbocker express on the Blg Four on Thursday night was nauled over the hills between Union City and Bellefontaine, fifty-nine miles, in sixty-nine minutes, stopping at Sidney to take water and at three railroad crossings. This is said to be the fastest time ever made with a passenger train between those points. The local passenger men returned from the Chicago meeting yesterday morning. Commissioner Tucker, of the Chicago and Ohio River Traffic Association, thought the alleged crookedness in rate matters that some of the lines were charging upon the others was trivial, and after giving some good advice told them to go home and try and behave themselves.

The freight blockade of the Lake Shore and Big Four at Cleveland was cleared up yesterday for the first time in three weeks. For some time past the Big Four has been delivering at Cleveland, off its Indianapolis and Cincinnati divisions, forty to fifty trains a day, most of the trains hauling thirty to forty loaded cars, and it was difficult to prevent the accumulation of loaded cars at that point.

Under the new order of things, if a trainman on the Lake Erie & Western road knows of any defect in equipment or track and does not report it, for the first orfense he will be suspended for ten days; second offense, thirty days; third offense, sixty days, and for the fourth will be dismissed from the service of the company. This is done to protect the company against accidents from defects of that character. The suit of the citizens of Hillsboro, Ill.

for a writ of mandamus compelling the Big Four to stop its Knickerbocker ex-press at that point is so much out of the ordinary that it is attracting considerable interest. An Illinois statute compels the stoppage of all passenger trains at county seats, and Hillsboro is one. The defense of the road is that the train takes no State business whatever, and, carrying exclusive-ly interstate business, does not come under

The hearing of the petition for foreclosure of mortgages against the Savannah, Americus & Montgomery road was con-cluded before Judge Fish, at Americus, Ga., yesterday. Judge Fish granted the decree for the foreclosure of mortgage and sale of the road on Feb. 28, 1895, fixing the minimum price at \$1,800,000. Receivers Hawkens and Hambleton and Dupon Guerry were appointed special commissioners to conduct the sale. This decision is believed to be final.

Superintendents Mansfield and Darlington, of the Pennsylvania lines, who returned on Thursday from Pittsburg, where they went together to attend a meeting of transportation officials, state that nineteen superintendents were present. The matters discussed were mostly of a routine nature, bearing on technical subjects. One of the estions considered was th shifting of freight cars at terminals and improved car couplers.

Superintendent Galloway, of the Indianapolis division of the Cincinnati, Hamilton & Dayton, is more cheerful over the business the road is doing. Of late it has been able to secure more cars for western con-nections, and the Vandalia and the Indianapolis, Decatur & Western are acting very honorably in loading them for the east over the C., H. & D., and the line's passenger business is steadily increasing. The fast train out of Indianapolis for Cincinnati at 8 a. m. is proving popular, and already is paying better than did the 2:55 p. m. train.

BUCK EWING FOR CINCINNATI.

Mr. Brush Signs the Famous Player for His Ball Club.

John T. Brush, president of the Cincinnati Baseball Club, had a conference, yesterday, with Buck Ewing, the new captain and manager of the team, who succeeds Comiskey, and with Mr. Bancroft, the business manager of the team. The conference, in fact, settled the relation that Ewing is to bear to the club. Mr. Brush said, last night, to a Journal reporter that the terms of Mr. Ewing's engagement with the club had been discussed and arranged satisfactorily to both sides, but he refused to state what salary the new manager would receive. Ewing is an old-time Mill-creek bottom player, and has achieved fame or the green diamond. Mr. Brush was asked if the selection of Ewing would prove popular with the patrons of the game in Cincinnati. He said:

"If he is successful in making a winning team of the club, putting it at the head next year, or somewhere near it, he will be satisfactory to the ball patrons of his city. If he is not, then he won't. If a baseball manager wins, then his path is a bed of roses, but if he loses, his lot is not a pleasant one. There has been no discovery of any process by which the patrons of baseball can be induced to take up and fawn upon a losing club. In baseball it is up and down according as success falls to the lot of the management. But Ewing is one of the best all-round players in the country. Some of the best baseball judges have voted him chief in all things per taining to baseball. He was manager of the New Yorks in 1888 and 1889, when they won the championship and he was afterward with the Clevelands, but was not responsible for the management, as he was when the New Yorks won out. He has as good a knowledge and judgment of all the ballplayers of the country as any man, and also all of the points of the game. He thinks well of the material that the Cincinnati club has in sight for next year. He is so well impressed, in fact, with the players that he is willing to take the management, which he would not do if he did not think there is a fairly good prospect of improving the position of the club as compared with where it stood last year. I found him en-tirely in sympathy with the directory regarding the club's policy and he will be unhampered in the management and will have the support of the directory in every effort, no matter what it involves, that will strengthen the team. Mr. Bancroft's position will remain the same as it has been for three years past. Ewing will himself play with the team, as he desires to do so. He will play first base. We have twenty-five or thirty players on the list from which to choose our team, and there are no more to be secured except, of course, as a matter of trade or sale. With a twelveclub league there is a scramble to get the cream of the players and there will be considerable rearrangement before the season

opens in the personnel of each club." Union Veteran Legion Officers. Encampment No. 80, Union Veterans' Legion, has elected officers as follows for the ensuing year: Colonel, B. W. Sullivan; lieutenant colonel, G. G. Long; major, James A. Fleming; surgeon, L. W. Mix; officer of the day, E. Marquis; chaplain, B W. Cooper; quartermaster, F. E. Engle, and trustee, John M. Payer.

Flags for the Monument. The commissioners yesterday contracted for the purchase of four large flags for the decoration of the interior of the monu-ment. Two of them will be draped over the doorways.

HOLIDAY HABERDASHERIES. The Noveltles Shown at Paul Krauss's Store.

The \$5 slik night robes are rare bargains, and are on a par with the numerous other holiday specialties now on display at PAUL H. KRAUSS'S haberdashery, 44 and 46 East Washington street. Elegant smoking jackets, lovely pineapple silk, real lace and hand-made linen handkerchiefs, bath robes, with slippers to match, ladies' and gentlemen's mackintoshes, silk suspenders, gentlemen's dress suit cases, umbrellas and the very quintescence of novelty-canes-are a few of the articles shown

Large stock Cut Glass a

24,000,000 POUNDS

Of QUAKER OATS sold in 1893. Why? Best

and cheapest breakfast food in the wide world.

Sold only in a lb. Pachages.

HARLEDCE DE SAME

LANGUAGE

SUPREME COURT'S DECISION ON A MINNESOTA LAND CASE.

Says an Outrage Was Attempted on Wm. P. Metzger-Counterfelter Caldwell on Trial.

A case of much interest involving a large real estate deal was yesterday settled in the Supreme Court for all time to come. It was the case of William P. Metzger vs. William W. Huntington, of Minnesota, which came up to the Supreme Court on appeal from Miami county some years ago and was recently decided in the Supreme Court in favor of Metzger, the appellant. A petition for a rehearing was then filed and argued by brief, and the court yesterday handed down its decision refusing the rehearing. The opinion, written by Judge Howard, was rather tart and became almost sarcastic at times. It opened as fol-

ing, counsel for appellee have displayed much earnestness in argument, even pushing their zeal to the utmost verge of a proper discussion of the case. It would seem that the briefs might well have been devoted exclusively to the discussion of the juestions presented in the record. "Because the court has been unable to reach the conclusion reached by counsel, it is intimated that we have not considered appellee's side of the case. The sum of this contention is, that because the court loes not see the record as counsel see it, therefore the court does not see it as it is. We are, however, of opinion that our own vision should guide us; and, inasmuch as we are unable to use appellee's glasses, we

"In their petition and briefs for a rehear-

"To counsel, the record seems to show that appellee is entitled to recover from appellant a large sum of money. To the ourt it is apparent from the same record that an outrage was attempted upon appellant; that, whether by fraudulent design or by an unfortunate chapter of accidents. an unconscionable obligation was sought to be thrust upon him without his knowledge

The intimation of fraud in the language

used by the court, Judge Howard writing

must be content to make use of our own

in looking through the record.

the opinion, was the open charge all through the protracted trial of the case, which involved eight litigations in different courts. At the time of the beginning of this transaction, out of which the litigation developed, Metzger resided in Logansport, in company with his brother in the linseed oil business, having mills in Logansport, Cleveland and Chicago. Outside of the Linseed Oil Trust the firm of Metzger Brothers did the largest business in the United States. Metzger had a young man in his employ named Wilson, who afterwards went to Minnesota and became acquainted with one Frank E. Little, a real-estate agent. Little and Wilson purchased an option upon a piece of land lying on Arlington Heights, near Lake Minnetonka. Wilson had no money, but he went to Logansport and induced Metzger, his old employer, to buy Little's interest and to loan him (Wilson) money enough to buy the half in-

terest assigned to him. Metzger advanced \$15,000 for this purpose. The land was transferred by William W. Huntington, the seller, to Wilson and Metzger, and the deed, it was afterwards found, contained an as-sumption clause under which Metzger, for Wilson had no means of his own, was made to assume a mortgage on the property of \$25,000. This fact was kept secret from Metzger for about a year, and when a de-mand for the payment was made he denounced the claim as the work of a conspiracy and declared that the clause had been inserted in the deed without his knowledge or consent. Suit was brought by Huntington at Logansport for the foreclos-ure and collection of the debt, but Huntington lost the case. Then suit was brought in Miami county, and Huntington won the case. Metzger appealed to the Supreme Court from this judgment, and this is the case that was decided in his favor. Huntington's claim was that Wilson was Metzger's agent in the transfer of the property, but Metzger set up in defense that Wilson's interest was adverse to his, and that he was never authorized to accept a deed with the assumption clause. The question before the Supreme Court was as to whether the evidence showed that Huntington's claim that

Wilson was Metzger's agent was true or not. The court, in the original opinion, de-clared that Wilson was not Huntington's agent, and that therefore he could not be held for the act of Wilson regarding that assumption clause. The suits in other courts in Indiana, Illinois and Ohio, which have been waiting the decision of the Su-preme Court of this State, will now be deoided in Metzger's favor. The Htigation tied up in the hands of the courts about \$300,000 of property belonging to Metzger. The court costs will not be less than \$5,000. The bond for the payment of the costs was signed by John A. Nelson and Alex. Hardy.

CONTRADICTED HER HUSBAND.

The attorneys for Metzger were Quincy

Myers, A. G. Smith and others, and for

Huntington, Stuart Brothers & Hammond, of Lafayette, and M. Winfield, of Logans-

"Brick" Harlan's Wife on Stand in Caldwell Counterfeiting Case. The trial of D. Kyle Caldwell, who was indicted for counterfeiting, conspiracy and perjury, and who was recently declared insane at his home in Frankfort, was begun yesterday in the federal court. The testimony for the government's side of the case was practically completed by the time of the adjournment of court last evening except three witnesses from Illinois, who will be heard this morning. The gov-ernment witnesses related the story of Caldwell's connection with the notorious "Buck" Harlan, the Shelbyville counterfeiter, and the material and dynamo which Harlan said Caldwell gave him the money to buy were exhibited to the jury. The testimony of the government seemed to leave the defense no loop hole of escape.

The defense, however, put Mrs. Harlan on the stand just before court adjourned and asked her if she had loaned her husband \$100 or any other sum at any time during this year of 1894. She said no. The wit-nesses in the case had been kept separated during the trial and Mrs. Harlan did not know that she was flatly contradicting her husband and was convicting him of perjury. This created something of a sensation among the court spectators, though the effect of the incident was not foreseen. The defense will offer its testimony today. Caldwell was in court and perfectly quiet. He looked emaciated and pale and was evidently sick both in mind and body.

Trouble of the Joneses. 'The "Joneses" with their troubles and their neighbors were in the Criminal Court yesterday afternoon. Mrs. Jones was there to prosecute her husband, Charles Jones, for assaulting her after she had gotten a divorce from and ceased to be under his protection. The Jones assault and battery case was in the Police Court six months ago. Jones was fined \$25 for striking his wife with a hammer and appealed the case. couple lived on Indiana avenue and half the street, in addition to their kin. were familiar with the merits of the case. The defendant's attorney attempted to show that Mrs. Jones was the cause of the alleged assault. She went to her husband's carpenter shop, it was claimed, threatened to kick the door down and in scuffling with her husband brought her head in contact with a hammer which he held. During the argument of the case the attorneys on either side indulged in a great deal of sharp retort. The defendant's attorney accused

gentle compliments without interference. The case will be continued this morning. Koerner's Wife Wants an Allowance Antonette Koerner, who recently filed a suit for divorce from Conrad Koerner, yesterday petitioned Judge Harvey, of the Superior Court, for an allowance with which to prosecute her suit. She shows that the defendant owns property on Delaware, Harrison and Meridian street, worth in the aggregate nearly \$25,000. He also possesses twenty acres of land in Marion county and controls a business college in Indianapolis. The petitioner further asks for funds with which to support herself and child pending

the prosecutor of saying things about his client that he would not dare say to his

face outside the court room. Judge McCray permitted the gentlemen to indulge in such

the hearing of her complaint for divorce. Trying the Rounds of the Courts. William A. Spangenberger was in Room 2, of the Superior Court, yesterday, with an application for divorce from his wife, Anna B. Spangenberger, Judge Harvey, after preparing to try the case learned that the couple had aiready been refused a decree of separation in Room 1, and had refiled the complaint. He informed the plaintiff's

attorney that the difficulty having already been adjudicated, he could not proceed. The attorney averred that the last com-plaint had been amended, but the court declined to hear the case.

Dr. Gaston Fire Escape.

Judge Harvey, of the Superior Court, has issued an order temporarily restraining Building Inspector Pendergast and the Board of Public Safety from prosecuting Dr. John M. Gaston for neglecting to comply with the fire escape ordinance. The order covers the building at the corner of Ohio and Delaware streets, now under lease by the Board of School Commissioners. The final hearing of the case will come up this

Deserted His Young Wife.

Dominick Mack was arrested yesterday morning upon a warrant sworn out in Justice Lockman's court, alleging wife desertion. He is employed at the Atlas works and his wife says he has refused to contribute to her support. She is twenty-two years old and was married two years ago. Her friends objected to the match and the couple left the city and were married. Mack gave bond for his appearance to-day.

Blunders in Affidavit. Prosecutor Wiltsie put in the day yesterday going through a big batch of appeal cases in the Criminal Court. He finds that many of the affidavits, through the carelessness of former deputy prosecutors, are worthless. They fail to contain a list of witnesses and many of them are incorrectly spelled and illegible. It will require a great deal of work to correct the errors.

Transferred from Allen County. The suits of Rhinehart vs. the Standard wheel works, of Ogden, administratrix, vs. the Pennsylvania Railroad Company and of Bowser vs. the Pennsylvania Railroad Company were fied in the federal court yester-day by transfer from the State court of

John Drew's Punishment. John Drew, who broke the window of Burgheim's jewelry store, in broad daylight and carried off several watches, was yesterday sent to prison for three years, His attorneys put in a plea of insanity.

Judge Brown in Johnson County. Judge Brown, of the Circuit Court, occupied the bench of the Johnson county court, at Franklin, last night. He presided in a divorce case in which a large amount of property is involved.

THE COURT RECORD. Supreme Court.

16997. Prather et al. vs. Prather et al. Clark C. C. Affirmed, Hackney, J.-A record is defective where it does not appear that the transcript was ever filed with the

16821. Sheets, Administrator, vs. Chicago & Indiana Coal Railroad Company. Fountain C. C. Affirmed. Dailey, J.-1. Where a servant enters upon an employment which is, from its nature, necessarily hazardous, he assumes the usual risks at his peril and there is also an implied contract on the part of the servant to take all the risks fairly incident to the service and to waive right of action against the master resulting from such risk. 2. When an employe has an equal opportunity with the employer of knowing there is danger he cannot recover. 1483. State vs. Ashcraft. Jay C. C. Reversed. Gavin, J.-An indictment against a person for selling liquor is sufficient that alleges the want of a license. 17121. Gas-light, etc., Co. vs. City of New Albany. Harrison C. C. Affirmed. McCabe, J.—(1) A judgment shall be rendered at the term at which a submission is made without any change of parties. (2) To warrant a court of equity in interfering the contract itself must be free from doubt, and the injury apprehended from its violation must

law. (3) An injunction will not be granted in aid of an action for specific performance when the agreement which it is sought to enforce is so uncertain in its terms as not to be the subject of a decree for specific 17056. Metzger vs. Huntington, Miami C Petition for rehearing overruled. Howard, J.—(1) In a question of agency, accept-ance and ratification should be shown by the evidence and not guessed at by the jury. (2) An answer that admits a deed, its record and that it contains an assumption clause, but deny that the clause was inserted with the party's consent or knowledge, or that its assertion was ever ratified

be of such a nature as not to be susceptible

of adequate compensation in damages at

by him, is a plea in confession and avoid-17462. Meers vs. Board of Commissioners of Shelby County. Shelby C. C. Reversed on complaint of errors.

Appellate Court. 1366. C., C., C. & St. L. R. R. Co., vs. Sloan. Benton C. C. Reversed. Davis, .—A complaint that alleges that the unsafe Sloan. and dangerous condition of a railroad track was unknown to the decedent, and that his injuries were received without any fault or negligence on his part, is sufficient, but does not allege that the defective and dan-gerous condition of the track at the place where the decedent was injured was the result of an act of negligence on the part of the company in changing and altering the track is bad on demurrer. 1154. German Fire Insurance Company vs. Columbia, etc., Tile Company. Ma-rion S. C. Reversed. Reinhard, J.—I. A notion for a venire de novo lies only when the verdict upon its face appears to be defective in form, 2. A condition in an insurance policy requiring immediate notice of loss is void, but notice must be given in

a reasonable time. 1221. Blondin vs. Oolitic Quarry Com-pany. Owen C. C. Petition for rehearing overruled. Reinhard, J.—Where a person is engaged in stone cutting, and it is found that the company was obligated to place the material on which he was to work in a safe position, on a level and solid foundation, and that the stone dresser was in no wise connected with the placing of the stone in such position, he has a right to assume there was no danger of it falling, and by its falling and inuring him he has right to be compensated.
1324. Roberts et al. vs. Kendall. Hamilton C. C. Appellees petition for rehearing.

Superior Court. Room 1-John L. McMaster, Judge. Lewis S. Pierson et al. vs. Julia F. Mc-Ginnis et al.; mechanic's lien. On trial by

Room 2-L. M. Harvey, Judge. Oliver W. Allen vs. John M. Westenberg; suit on note. Cause dismissed at plaintiff's James M. Woods vs. G. Cullings. Cause

dismissed for want of prosecution.

Antoinette Koerner vs. Conrad C. Koerner; divorce. Plaintiff filed motion for an Jennie Woods vs. Citizens' Street-railroad Company; damages. Case dismissed by an agreement at defendant's cost. Equitable Saving and Loan Association vs. Alexander Hamilton et al.; foreclosure John M. Gaston vs. Board of Public Safety. Restraining order granted returnable Dec. 15 at 9 o'clock to prevent building inspector filing suit on failure to provide fire escape to school building.

Room 3-Pliny W. Bartholomew, Judge. Nathan F. Dalton vs. Lillian E. Lane nechanic's lien. Dismissed and costs paid Sallie Kessler vs. Charles Grant; to quiet title. On trial by court.

Circuit Court.

Edgar A. Brown, Judge. Andrew Krantzel vs. P., C., C. & St. L. Ry. Co.; damages. Jury falled to agree. Ben Booth vs. South-side Building and Loan Association; claim. Jury out. New Suits Filed.

Equitable Building and Loan Association s. William Williams et al.; suit for re-eiver. Superior Court, Room 3. Equitable Savings and Loan Association s. Henry H. Moats et al.; suit to forelose. Superior Court, Room 3 Equitable Savings and Loan Association s. Oliver Brown et al.; suit for foreclosure. perior Court, Room 2 The German Pioneer Society vs. Christian Renner et al.; suit on account. Superior Court, Room 3.

Bailey Denies a Dicker.

Leon Bailey yesterday denied the report that the Broad Ripple Rapid-transit Company had asked the city for a right of way to the center of town, and that trouble was brewing between it and the Citizens' Street-railroad Company. He said that the agreement between the two companies was perfectly satisfactory, although, he thought, as a matter of policy the city should en-courage suburban lines by granting them rights of way.

Claypool Secures the Property. Newton Claypool has secured the residence property of the late William Henderson, at the corner of Meridian and Fifth streets. The purchase price was \$25,-000, the sale being made through the Union Trust Company, which was administrator of the Henderson estate.

'Now, Gen'ral, you're posted; come, give In a brush at the front what's the powder He winked at a star as he puffed his cigar, And slowly replied, "In a brush at the I never use powder, but-FOZODONT."

SCHOOL BOOKS

COMMITTEES FROM PEDAGOGICAL BODIES FAVOR TOWNSHIP PLAN.

Proposed Also to Have School Teachers Take the Enumerations-Tax for Universities.

The joint legislative committee of the County Superintendents' Association, the State Superintendents' Association and the State Teachers' Association met in the rooms of the State Board of Education yesterday morning at 10 o'clock. There were present: President Swain, who was elected chairman of the meeting, and County Superintendents Lewellyn of Delaware, Jackson of Hancock, City Superintendents Goss of Indianapolis, Study of Richmond, Hamilton of Huntington, together with Superintendent Vories, Superintendent-elect Geeting and County Superintendent Mott. of Wayne county. The only absentees were W. W. Pfrimmer, of Newton county, and Howard Sandison, of Terre Haute. The committee decided to recommend the

school enumeration should be taken by the teachers in each school district, making the enrollment the basis of the enumeration. This is to prevent the padding of the lists for purposes of securing a greater amount of the school revenues than the district is entitled to have. This bill was passed by one house of the last General Assembly. The committee also voted fayorably upon a recommendation for free text-books on the optional plan, the township to be the unit. The bill, as recommended, will give each township the right to decide whether the schools in its borders shall provide the books free for the children of the schools. This bill, if passed, will not carry with it any interference with the Indiana School-

passage of the Study bill providing that the

book Trust. Some resolutions were adopted for recommendation to the Legislature that there be certain changes in the method of handling the school books provided by the State trust.

It was agreed unanimously that a com-mittee of three of the joint committee be appointed to draft a bill providing for a inty and city superintendents' licens system, the standard to be fixed and the examinations to be held by the State Board of Education. The chair appointed as mempers of this committee Messrs. Geeting, Study, Mott and Lewellyn. It was further agreed to advocate the adoption of a county nstitute instructors' license bill, and for this purpose an executive committee of the joint legislative committee was appointed for the purpose of this bill, as well as for the purpose of all other legislation proposed by this committee. The chair appointed the following legislative committee: President Swain, State Superintendent-elect Geeting, State Superintendent Vories, Mr. Study, Mr. Jackson and Mr. Goss.

Concerning the matter of the State in-stitutions of higher education, it was unan-imously resolved as follows: "That it is the judgment of this joint legislative committee that it would be sound policy for the coming Legislature to levy an annual tax for the support of the State University. Purdue University and the State Norma School and thus relieve the management of these institutions from the humiliating necessity of importuning each successive Legislature for the scant sums necessary for their bare existence."

INDIANA READING CIRCLE. Committees Prepare a List of Books

for the Children.

The two committees of the Teachers' Reading Circle and the Children's Reading Circle have prepared a list of books to be read by members of the circle for 1895-96. Yesterday morning the full board met in this city to adopt the list made by the committees. The special list consists of books for the children. The special business of the meeting, that of negotiating with publishers for certain books, will not be completed before January. The Teachers' Reading Circle was established about ten years ago and that for the children about seven. The membership of children is now 100,000. The committee has received letters from Washington and Texas from children asking if they can be members of the Indiana circle, so as to get the list of books and the benefit of the prices. The books are the literature of science, history and fiction. The idea is to have the children read such wholesome and, at the same time, interesting books, that there will be no time nor inclination for them to take up the bad. The reading circles are under the auspices of the State Teachers' Association. In townships where children cannot afford to buy the books named by the board the township trustee or some one else buys them and keeps them in a circulating library, where the children can have them. The list is of only fourteen books. The board includes Mrs. Emma Mont McRae, professor of literature at Purdue; W. H. Glasscock, superintendent at the Institution for the Education of the Blind, who is the secretary; D. M. Geeting, Superintendent of Public Instruction-elect; Miss Adelaide Baylor, principal of the Wa-bash High School; Dr. J. A. Woodburn, professor of American history at the State University; T. A. Mott, superintendent of Wayne county; Charles F. Patterson, superintendent of Edinburg, and ex-officio State Superintendent H. D. Vories.

Coming of Bob Fitzsimmons. The manager of "Bob" Fitzsimmons.

pugilist, who is to be at the Empire next week, is in town. He says that Fitzsimmons now weighs 169 pounds and keeps himself down to almost fighting condition all the time. He credits the lanky prizefighter with a desire to fight Corbett at any place and at any time. Corbett proposes to fight in Florida next July, although the Legislature of that State has repealed the law which permitted so much leniency to men who punched each other's noses for purses and side bets. Fitzsimmons's manager thinks his star would prefer fightng in New Orleans. Each side has posted a \$5,000 forfeit for the fight.

Mauve Collection and School Children. School children will be admitted to the Mauve collection of pictures for 10 cents. Some persons think because the pictures have been referred to as sketches that they are black and white drawings, in the rough. They are in reality painted and framed. Many people, who did not know, would think them completed pictures. They are so nearly finished that they form most attractive collection. There are a few of the rough sketches in black and white, but these are the exception. The colors and the effects which this great Dutch painter has put on canvas are a revelation to artist as well as to amateur.

What Sheriff Emmett Made. The report of ex-Sheriff Emmett filed with the County Commisioners shows that the total receipts of his office for two years were \$31,534.27. The expenses of the office were less than \$700 a month, which would leave the ex-sheriff a balance of \$14,730, with \$6,466.73 yet to be collected. In his report Mr. Emmett says that this amount is due him. There is allowed a compensation to the sheriff of \$26,000 for the term of two years, with heavier fees, not-withstanding that the fee and salary law directly affects the office.

Crime Against an Imbecile. The State Board of Charities has under investigation through John R. Elder, its president, the crime perpetrated in the case of a helpless, deformed and idiotic colored girl in the Southern Hospital for the Insane. Every effort is being made to discover the author of the girl's trouble. The girl's name is Hester Bishop and her home is in Mount Vernon. The case has been surrounded in mystery. The penalty for such a crime is from five to twenty-five years in the State prison.

Bargains this week at Marcy's in diamonds, watches, sterling silverware-lowest

HOLIDAY

Excursion to North Carolina and Virginia.

Will leave Indianapolis Dec. 18 at 3 p. m. via the Big Four and Chesapeake & Ohio railway. Without change of cars from Indianapolis to Greensboro, N. C. Tickets will be sold at half fare, good thirty days returning, to Greensboro, Winston, Salem, High Point, etc., also to many points in For tickets and full in ormation, call at Big Four ticket office, 31 Jackson Place, opposite Union Depot, and 1 East Wash-ington street, Indianapolis, Ind.

ONE ENJOYS

Both the method and results when Syrup of Figs is taken; it is pleasant and refreshing to the taste, and acts gently yet promptly on the Kidneys, Liver and Bowels, cleanses the system effectually, dispels colds, headaches and fevers and cures habitual constipation. Syrup of Figs is the only remedy of its kind ever produced, pleasing to the taste and acceptable to the stomach, prompt in its action and truly beneficial in its effects, prepared only from the most healthy and agreeable substances, its many excellent qualities commend it to all and have made it the most popular remedy known.

Syrup of Figs is for sale in 50c and \$1 bottles by all leading druggists. Any reliable druggist who may not have it on hand will procure it promptly for any one who wishes to try it. Do not accept an substitute.

CALIFORNIA FIG SYRUP C SAN FRANCISCO, CAL. LOUISVILLE, KY.

GRATEFUL-COMFORTING.

BREAKFAST-SUPPER. "By a thorough knowledge of the natural laws which govern the operations of digestion and nutrition, and by a careful application of the fine properties of well-selected Cocoa, Mr. Epps has provided for our breakfast and supper a delicately flavored beverage which may save us many heavy doctors bills. It is by the judicious use of such articles of diet that a constitution may be gradually built up until strong enough to resist every tendency to discase. Hundreds of subtle maiadies are floating around as ready to attack wherever there is a weak around us ready to attack wherever there is a weak point. We may escape many a fatal shaft by keeping ourselves well fortified with pure blood and a properly nourished frame."—Civil Service Gazette.

Made simply with boiling water or milk. Seld only in half pound tins by Grocers, labelled thus:

JAMES EPPS & CO., Ltd., Homoeopathic Chemists' London, England.

Christmas in Carolina. The annual excursion to Greensboro and Winston, N. C., and the Shenandoah valley,

Virginia, will be run from central and eastern Indiana on Tuesday, Dec 18. Half-fare rates and first-class accommo-dations will be given. Call on agents Lake Erie & Western, Cincinnati, Hamilton & Dayton or Louisville, New Albany & Chi-cago railways, or address either of the excursion agents, Addison Coffin, Amo, Ind.; Fleming Ratcliff, New Castle, Ind., or C.,

street, Indianapolis, Ind.

A CUT In Cutlery, Carvers, Pocket Knives and Table Cutlery.

H. & D. ticket office, 134 South Illinois

LILLY & STALNAKER. 64 East Washington Street.

DAILY VITAL STATISTICS-DEC. 14.

Deaths. J. N. Beard, eighty-seven years, 297 East McCarty street, exhaustion. Clara Watkins, fifteen years, Ramsey Richard D. Clayton, twenty-two years, West Indianapolis, hepatitis.
Julia C. Mahoney, seven months, Helen
and North streets, cerebral congestion. Richard Millican, thirty-eight years, city, killed by cars. Jemima Wright, ninety-four years, 966 North Mississippi streets, senile debility. May Laughlin, five years, 146 Pleasant

Frank Baughman, nineteen years, 50 Bradshaw street, bronchitis. Walter R. Sherman, nineteen months, 18 Brookside, pneumonia.

Birthe. J. H. and E. Malcolm, 301 East Ohio street, boy. E. M. and T. H. Peterson, Twenty-third street, boy

A. J. and M. E. Beatty, 38 Gattling R. W. and E. M. Sproston, 85 Meikel street, boy. Arthur and Olive Middun, 214 Bates street. Mike and Bridget Farestal, 30 Deloss street, girls. Henry and Minnie Goodhard, 393 East Michigan street, girl. David and Anna Fisher, 187 Keystone ave-Mathias and Caroline Franzen, Center John and Mary Teal, 225 North Missis-

sippi street, girl.
Joseph and Marie Pantoni, 115 West New York street, girl. Marriage Licenses.

William F. Johnson and Cora Quinn. Henry Shakel and Minnie Lemka. Building Permits.

M. Snow, repair brick building, rear 15 and 17 Virgina avenue, \$272. Victor M. Backus, frame house, 773 North Meridian street, \$7,300. C. S. Douge, frame house, 183 Yandes George Schneider, frame addition, 330 South State avenue, \$135. Irene M. Allison, frame addition, 46 Tacoma avenue, \$325. T. P. Bollings, frame house, Torbet Charles F. Rafert, frame house, 134 Huron Americus Fisk, frame house, St. Paul street, \$200. Indianapolis Warehouse Company, repair brick warehouse, \$1,350.
Catherine Darnell, frame house, Illinois and Seventh streets, \$1,800. John L. Griffith, frame house, Meridian street, Morrison's second addition, \$3,800. P. M. Purcell, repair frame house, 246 Cornell avenue, \$100.

To Beautiful California Via The True Southern Route-comprising the lines of the Iron Mountain route, Texas & Pacific and Southern Pacific railways the ideal winter way to the land of sun-shine, fruit and flowers. This route has no freezing weather, high altitudes or snow No change of cars from St. Louis to Los Angeles. Elegant Pullman Buffet Sleeping Car and Pullman Tourist Sleeping Car leave St. Louis daily at 9:50 p. m., arriving

at Los Angeles the fourth day out at 7 p.m.

For full particulars, tickets, berth reservations, maps, etc., address any coupon ticket agent or COKE ALEXANDER,

D. P. A. Mo. Pac. Ry., Jackson Place, Home Seekers' Excursion. On Dec. 18, via the Vandalia line. One fare for the round trip. Call on ticket agents or address George E. Rockwell, D. P. A.,

Dr. Price's Cream Baking Powder

EXPECTANT

World's Fair Highest Award.

MOTHERS. That our wonderful remedy "MOTHERS PRIEND," which makes child-birth easy may be within the reach of all we have reduced the price to One Bollar per bottle. Beware of rands, counterfeits and substitutes. TAKE NOTHING BUT

MOTHERS FRIEND. . . SOLD BY ALL DRUGGISTS. . . . free. THE BRADFIELD REGULATOR CO., Sele Proprietors, Atlanta, Co.

KREGELO A

Day or Night. Best services now being furnished at least cost, or no charge at all, and no extra charge for lady assistant.

WANTED-AGENTS. WANTED-Salesman for Indiana by sum mer clothing house, on tirely. Apply C. A. YOST & CO., 600 Broadway, N. Y.

WANTED-AGENTS-The Lombard Building and Loan Association wants agents in every county in Indiana. Attractive plan. Liberal features, Prompt loans. Progressive management, Good commissions paid. Write for terms, CHARLES MAGUIRE, President. E. P. THOMPSON, Secretary.

WANTED-MISCELLANEOUS. VANTED-To buy good horse, phaeton and harness; together or separate, Address H, care Journal.

FINANCIAL.

LOANS-Money on mortgages. C. SAYLES, 75 East Market street. LOANS-Money on watches, diamonds, jewelry, without publicity. CITY LOAN OFFICE, 57 West Washington street. LOANS-Sums of \$500 and over.

C. E. COFFIN & CO., 90 East Market

MONEY TO LOAN-We have plenty of per cent. money to loan on Indiana farms. C. N. WILLIAMS & CO., Craw-fordsville, Ind.

TO LOAN-Money to loan upon real entate mortgage in amounts required. Interest moderate. No commission charged M'GILLIARD & DARK, 83 and 85 East Market street. MONEY TO LOAN-On farms at the lowest market rate; privileges for payment before due. We also buy municipal bonds. THOMAS C. DAY & CO., 72 East Market

street, Indianapolis. FINANCIAL—Prompt loans made by "The Lombard," No. 97 Lombard Building, No. commissions. CHARLES MAGUIRE, President. E. P. THOMPSON, Secretary.

LOANS-6 per cent. money on improved real estate in this city only. (No loans made outside.) Borrower has the privilege of prepayment semi-annually. No delay. Reasonable fees. JOHN S. SPANN & CO., 86 East Market. AUCTION SALE.

AUCTION SALE of a fine stock of New Furniture, Carpets and Household Goods at my room, No. 192 East Washington street, on Saturday, Dec. 15, at 9:30 a.m., consisting in part of fine wardrobes double mirror doors; oak sideboards, roll double mirror doors; oak sideboards, ro top desks, fancy square oak extensio tables, ladies' oak desks, three oak secre taries and bookcases, large mirrors; totle wash stands, fine oak folding beds, parlo suits, couches and lounges, upholstere sociables, corner chairs, a lot of uphol stered and fancy rockers, oak hall racks a lot of wool carpets, oak and wainut l room suits, cane-seat chairs, child's b kitchen safes, oak wash stands, b cabs, center tables, gasoline stoves, tures, easels, clocks, cook and hear stoves, springs, mattresses, paper racks, and many other goods. The above goods are first-class, and must be sold. If you want Christmas presents, this is your chance. A. L. HUNT, Auctioneer,

MISCELLANEOUS. MISCELLANEOUS—The Roosevelt House, one square north of postoffice, and across the street from the Denison, on Ohio street, has opened up as a dellar-a-day house. "Cleanliness, with good accommodation," shall be our motto. Try us.

FOR SALE.

FOR RENT-Rooms, furnished or unfur-mished, with gas. 69 North Alabama

FOR SALE-At half cost, full dress suit coa+ and vest; size 36; good as new. Address L. R. J., this office.

PERSONAL. PERSONAL-MRS. P. BARRETT gives character readings. Call at 850 North New Jersey street.

CHURCH NOTICES.

Baptist. FIRST BAPTIST CHURCH-Northeast corner of New York and Pennsylvania streets Rev. C. E. W. Dobbs, D. D., preaches at 10:45 a. m. No evening services on account of the Chapman meetings at Tomlinson Hall and Roberts Park Church. Sunday school, 9:30 a. m.; Junior B. Y. P. U., 3 p. m.; Young People's meeting, 6:30 p. m. Strangers invited to all serv-

Congregational. PLYMOUTH CHURCH-Corner Meridian and New York streets. Frederic E. Dew-hurst, minister. Sunday school, 9:30; morning service, 10:45; evening service, 7:45; midweek meeting, Thursday evening

Christian. CENTRAL CHRISTIAN 'CHURCH-Corner of Delaware and Walnut streets. D. R. Lucas, pastor. Subject, 10:45 a. m., "In His Name." No evening service on ac-

count of the union meetings at Tomlinson Hall. Sunday school, 9:30 a. m., Howard Cale superintendent; Y. P. S. C. E. Junior Society, 9 a. m.; Senior Society, 6:30 p. m., Miss Grace Lyons leader. All are invited and welcome to these services, ST. PAUL'S CHURCH-New York and Illi-Holy communion, 8:45 a. m.; school, 9:30 a. m.; Litany and

10:45 a. m.; evening prayer and sermon 7:45 p. m. The rector will preach. Morning subject, "The Coming of the King; evening subject, "Christ and the Crowd." Methodist. CENTRAL-AVENUE METHODIST EPIS COPAL CHURCH-Corner of Central aveque and Butler street; Rev. Henry A Buchtel, D. D., pastor. Sermon at 19:34
a. m., by Rev. T. I. Coultas, D. D.; class
meeting, 9:15 a. m.; Sunday school, 2:30 p.
m. No evening service. Congregation
will unite with the central and North-side churches in union meetings at Ton son Hall and Roberts Park Church.

MERIDIAN-STREET M. E. CHURCH-Corner of New York. Preaching at 19:30 a. m. and 7:30 p. m. by the pastor, Rev. C. N. Sims, D. D. Class meeting at 9:30 a. m. Sunday school at 2:15 pl m. Christian Endeavor at 6:30 p. m. Prayer meeting Thursday evening at 7:30. All are cordially invited. ROBERTS PARK M. E. CHURCH-Corner Delaware and Vermont streets; Rev. T. I. Coultas, D. D., pastor. Class meeting at 9 a. m.; preaching at 10:30 a. m., by Rev. Henry A. Buchtel, D. D., pastor Central-avenue M. E. Church, Union serv-

ice at 7:30 p. m. for the downtown churches; preaching by Mr. William Sunday, the evangelist. Morning music: Organ solo, Mrs. W. B. Judah: chorus, "The Lord Is in His Holy Temple." Lob; solo, "Fear Ye Not, O Israel," Dudley Buck, Mrs. Bennett. Evening: Organ solo, Mrs. Judah: chorus, "If My Immortal Savior Lives," Webber; chorus, "O Paradise," Barnby. Sunday school at 2:15 p. m. New Church.

NEW CHURCH CHAPEL-(Swedenborgian), 333 North Alabama street. Rev. W. 1 L. Gladish, minister. Morning service, 10:45; subject of sermon, "The Forgiveness of Sins." Evening service, 7:30. Subject, "There Is Nothing Covered That Shall Not be Revealed." Sunday school, 9:30.

FIRST PRESBYTERIAN CHURCH-Southwest corner Pennsylvania and New York streets. The pastor, Rev. M. L. Haines, D. D., will preach at 10:45 a, m. No evening service, the congregation uniting in the union evangelistic services at Tomlison Hail. Sunday school meets at 9:30 a. m. The Christian Endeavor Society at 6:30 p. m. SECOND PRESBYTERIAN CHURCH-

Corner Vermont and Pennsylvania. Rev. Joseph A. Milburn pastor. Preaching, 10:45 a. m. and 7:30 p. m.; Sunday school, 9:45 a. m.; Young People's Society Christian Endeavor, 6:45 p. m. Prayer meeting Thursday evening, 7:30 day evening, 7:30. MEMORIAL PRESBYTERIAN-Corner of Christian avenue and Ash street; Frank O. Ballard pastor. Sunday school at 9:15 a. m.; Junior Christian Endeavor Society at 3 p. m.; senior society at 6.45. Morning public worship at 10:30, when the pastor

will preach. There will be no evening service, but the congregation will worship in Tomlinson Hall. TABERNACLE CHURCH—Corner Meridian and Second Streets, Rev. J. A. Rondthaler, D. D., pastor. Rev. W. B. Dunham, associate pastor. Preaching by the pastor at 10:30 a. m.; Sunday school, 2:15 p. m.; Y. P. S. C. E., 6:30 p. m. Services in Mount Jackson at 10:30 a. m. There

will be no evening service in the West Washington-street Chapel on account of the Chapman meeting at Tomlinson Hail

Presbyterian.